ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Section 73.622(i)	)	Docket Number 08-131
Table of Allotments	)	RM-11463
Digital Television Broadcast Stations	)	
(Columbus, Ohio)	)	

To: Office of the Secretary
Attn: Chief, Video Services Division

FURTHER SUPPLEMENT TO PETITION FOR RULEMAKING

WSYX Licensee, Inc. ("WSYX"), licensee of WSYX(TV), channel 6, and WSYX-DT, channel 13, Columbus, Ohio, by the undersigned attorneys, hereby further supplements its above-captioned request that the Commission substitute and allot DTV channel 48 for WSYX-DT's assigned DTV channel 13 at Columbus, Ohio. Specifically, provided herein are a series of coverage maps which show that the proposed WSYX-DT operations on channel 48 would provide service to large areas in the Columbus Designated Market Area ("DMA") that would otherwise lose service due to co-channel and first adjacent interference that will exist if WSYX-DT is required to remain on channel 13 post-transition. In short, the maps provide additional and conclusive evidence that operating WSYX-DT on channel 48 instead of channel 13 is necessary to provide superior service to the viewing public post-transition and would thus better serve the public interest.

EXHIBIT 1: FCC WSYX-DT Expected Change in Coverage Map

Attached hereto as Exhibit 1 is a copy of a post-transition coverage map released by the *FCC as part of a report showing changes in the coverage of television stations pre and post* digital transition. The WSYX-DT map demonstrates that significant loss areas will exist post-transition if WSYX-DT were to continue to operate on channel 13.

EXHIBIT 2: Co-channel Interference to WSYX-DT on Channel 13

The map attached as Exhibit 2 shows that the majority of the predicted WSYX-DT post-transition loss area can be directly attributed to co-channel interference caused by post-transition channel 13 operations of stations in at least two markets adjacent to Columbus, Ohio: WOWK-DT, located in Huntington, West Virginia and WTVG-DT, located in Toledo, Ohio. The predicted interference caused by these stations is clearly seen in the Longley-Rice coverage map of WSYX-DT post-transition operations on channel 13, prepared by Carl T. Jones Corporation. According to Section 73.623 of the Commission's rules, for co-channel stations, the minimum desired to undesired signal ("D/U") ratio that a receiver can tolerate and still produce a viewable signal to the public is +15 dB.[1] The yellow area on the Exhibit 2 map shows where the WSYX-DT signal exceeds the interfering co-channel signals of WOWK-DT and WTVG-DT by +15 dB or more, which is predicted to result in an acceptable signal to the viewing public. In contrast, the blue areas represent locations where the WSYX-DT signal is predicted to exceed the co-channel interfering signals of WOWK-DT and WTVG-DT by +15 dB or less, resulting in signal loss areas. This co-channel interference is pervasive even within the WSYX-DT channel 13

[1] *See* 47 C.F.R. § 73.623 (c)(2).

predicted coverage contour, and will significantly disrupt the ability of viewers throughout the DMA to receive the WSYX-DT signal on channel 13 post-transition.

EXHIBIT 3: First Adjacent Interference to WSYX-DT on Channel 13

As shown in Exhibit 3, WSYX-DT operations on post-transition channel 13 will receive additional interference from two first adjacent channel stations operating on channel 12 in neighboring markets: WKRC-DT, in Cincinnati, Ohio and WMFD-DT, in Mansfield, Ohio. The yellow area on the map shows where the WSYX-DT signal exceeds the interfering first adjacent channel signals by -28 dB or more, illustrating where viewers will be able to receive the station's signal on channel 13.[2] The blue areas represent locations where the WSYX-DT signal is predicted to exceed interfering signals by -28 dB or less, this time caused by first adjacent stations WKRC -DT and WFMD-DT. It is therefore predicted that the public will be unable to view WSYX-DT signal in these additional loss areas.

EXHIBIT 4: WSYX-DT Post-Transition Service on Channel 48

The attached Exhibit 4 shows the WSYX-DT 36 dBu coverage as predicted by the Longley-Rice methodology. The areas in yellow are where the WSYX-DT channel 13 signal is predicted to exceed any interfering signal, either co-channel or adjacent channel (13 or 12), by the relevant dBu ratio, thereby resulting in a viewable signal. The blue areas are where the predicted WSYX-DT channel 13 signal exceeds 36 dBu but the relevant D/U ratio is predicted to be less than required to provide reception, therefore resulting in signal loss areas. The red area is where the WSYX-DT signal on proposed channel 48 is predicted by Longley-Rice to exceed 41 dBu, and exceeding +15 dB D/U ratio, resulting in acceptable service to the public.

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[2] *Id.*

Notwithstanding the predicted coverage contours, it is evident from the Longley-Rice methodology that the geographic coverage of WSYX-DT on channel 48 (in red) is nearly *identical to the coverage average of channel 13 (in yellow and blue). It is also clear to the naked* eye that whereas WSYX-DT post-transition operations on channel 13 will receive a tremendous amount of co-channel and first adjacent channel interference (in blue) throughout the Columbus DMA, no similar interference is predicted to exist for WSYX-DT operations on channel 48 (in red). Consequently, there can be no doubt that WSYX-DT operations on channel 48 would provide, as a practical matter, interference-free service to large areas that are predicted to suffer interference should WSYX-DT be required to continue to operate on channel 13 post-transition instead of proposed channel 48.

It should come as no surprise that WSYX-DT is predicted to receive co-channel and first adjacent interference operating on channel 13 post-transition but is not predicted to receive such interference operating on channel 48. Indeed, Appendix B to the Table of Allotments itself shows that the post-transition DTV percent interference for WSYX-DT on channel 13 is **10.4% of the population served by the station** because operations on that channel are interfered with by the aforementioned co-channel and first-adjacent channel 12 and channel 13 operations in neighboring markets. In stark contrast, the Commission's application processing software indicates that the post-transition DTV percent interference for WSYX-DT on channel 48 is **only 1.7% of the population served by WSYX-DT.**

Moreover, unlike the parameters used by the Commission in creating Appendix B, the parameters used by WSYX-DT in its proposal to operate on channel 48 were required to comply with the full geographic separation requirements of 76.623(d) of the Commission's rules regarding co- and first- adjacent channel stations (i.e., on channels 47, 48, and 49) *and* WSYX-

DT was not permitted to exceed the .5% interference standard to such stations as required by 76.616 of the Commission's rules.[3] Thus, no short-spacing exists for WSYX-DT operations on channel 48 and, as a result, the substantial co-channel and first adjacent channel interference that is predicted to exist on channel 13 simply does not exist on channel 48.[4] Under these circumstances, WSYX respectfully submits that the Video Division is compelled to grant the WSYX-DT request to operate on post-transition channel 48.

[3] *See* 47 C.F.R. § 73.623(d) and 47 C.F.R. § 73.616. Since WSYX-DT on channel 48 causes *de minimis* interference to other stations, those stations would by definition cause little or no complementary interference to WSYX-DT.

[4] It is also important to note that, according to Appendix B, the two co-channel stations on channel 13 and the two adjacent channel stations on channel 12 also suffer built-in losses. Specifically, WTVG-DT, channel 13, Toledo, Ohio, has a built in loss of 3%, WOWK-DT, channel 13, Huntington, West Virginia, has a built in loss of 4.7%, WKRC-DT, channel 12, Cincinnati, Ohio, has a built in loss of 1.9% and WMFD-DT, channel 12, Mansfield, Ohio, suffers a built in loss of 12.2%. All of these interference figures would be improved by the proposal of WSYX-DT in Columbus, Ohio to move from channel 13 to channel 48 post-transition.

Conclusion

As shown in the attached Exhibits, operating WSYX-DT on channel 48 instead of channel 13 is necessary to provide superior interference-free DTV service to the viewing public in the Columbus DMA. Accordingly, based on the foregoing, and for the reasons provided in its original Petition, Supplement, and Further Supplement, WSYX respectfully requests that the Video Division adopt the proposed changes to the DTV Table of Allotments in order to permit WSYX to better serve its viewers and the public interest.

Respectfully submitted,

WSYX Licensee, Inc.

By: _____
Clifford M. Harrington
Paul A. Cicelski

Its Attorneys

PILLSBURY WINTHROP SHAW PITTMAN LLP
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Washington, D.C. 20037-1128
(202) 663-8000

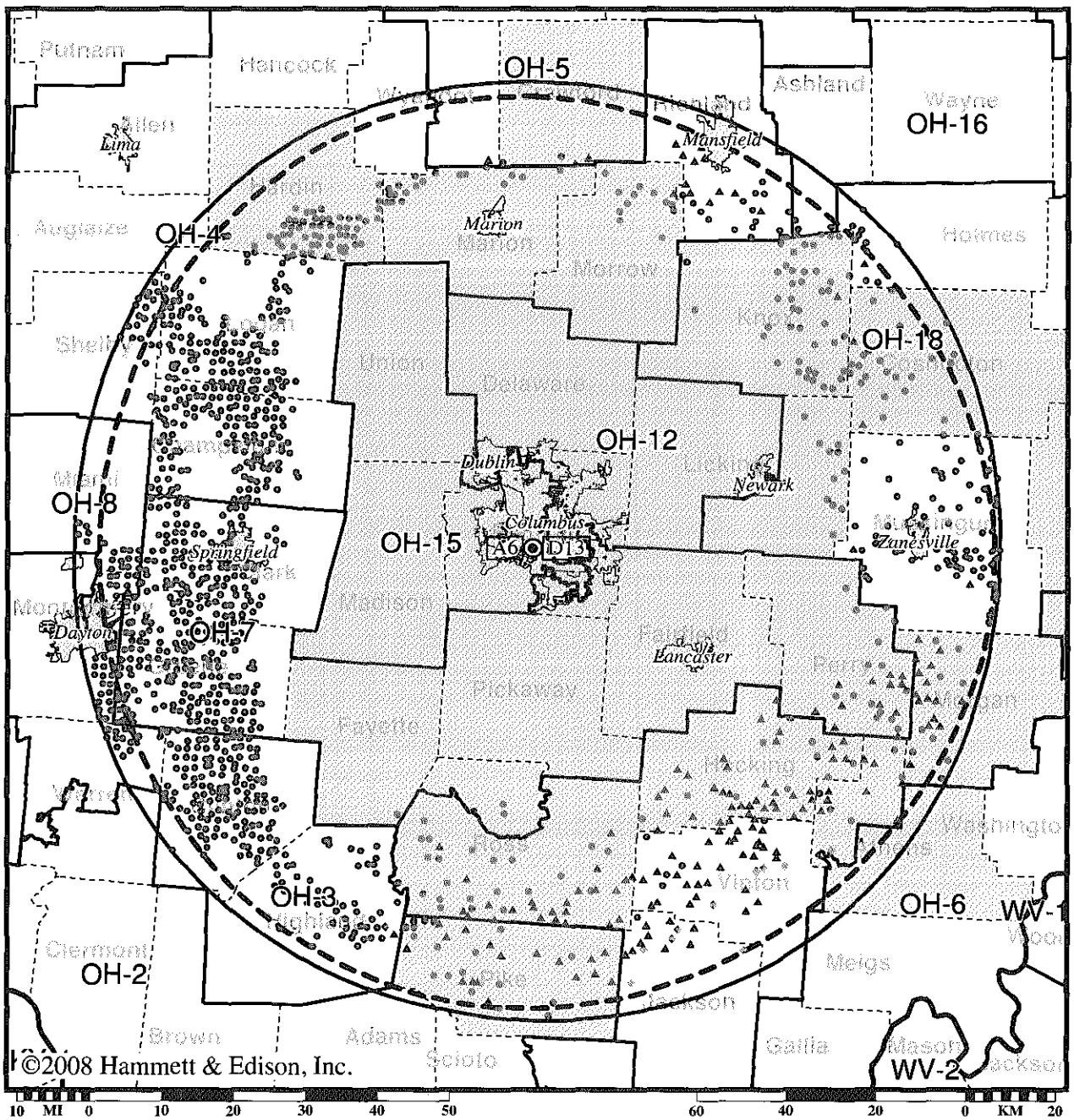
Dated: February 6, 2009

TV Station WSYX • Analog Channel 6, DTV Channel 13 • Columbus, OH

Expected Change In Coverage: Licensed Operation

Licensed (solid): 59.0 kW ERP at 286 m HAAT, Network: ABC
vs. Analog (dashed): 100 kW ERP at 286 m HAAT, Network: ABC

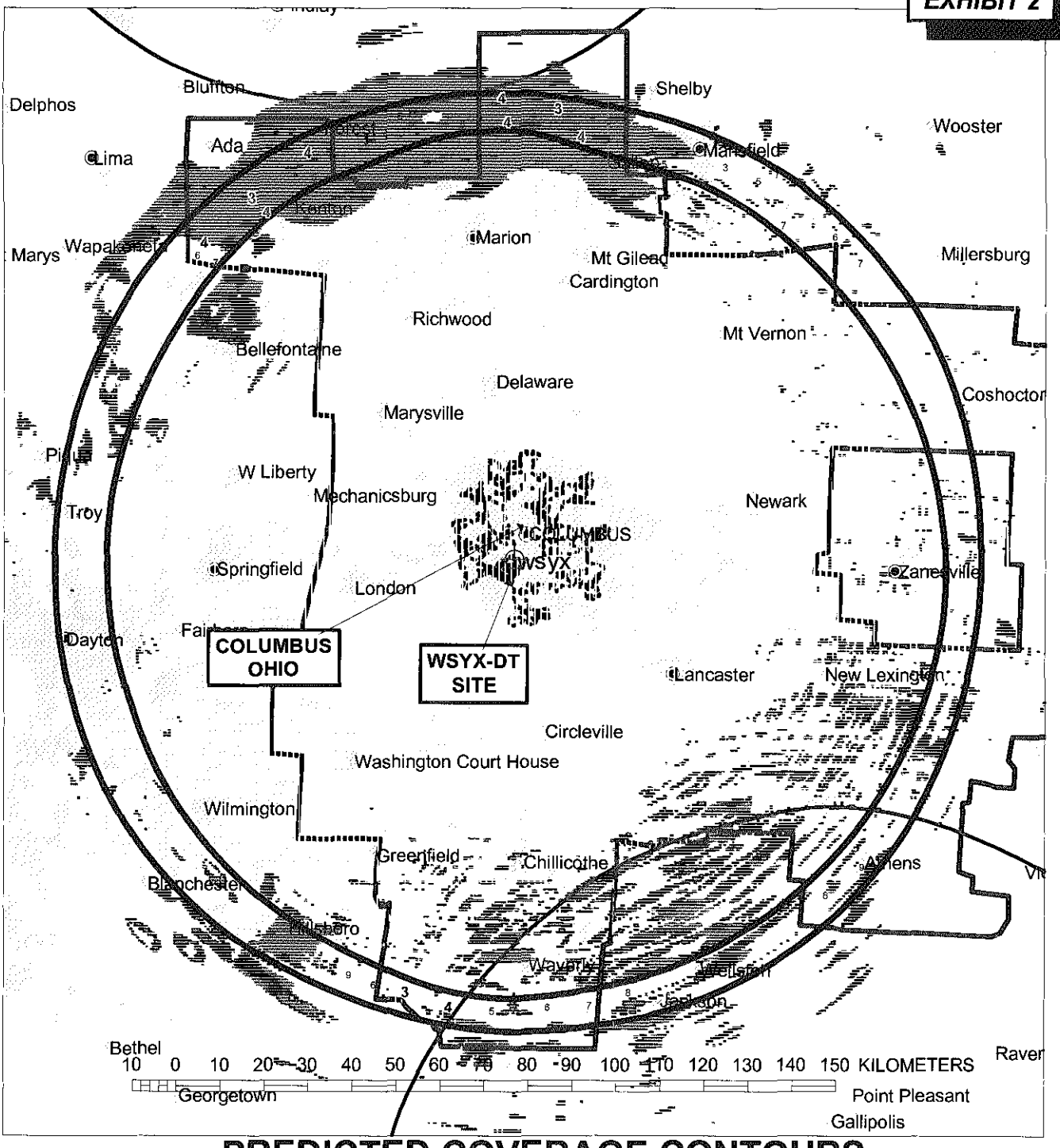
Market: Columbus, OH



- Coverage gained after DTV transition
- (no symbol) No change in coverage
- Coverage lost but still served by same network
- Coverage lost and no other service by same network

WSYX Licensed

EXHIBIT 2



PREDICTED COVERAGE CONTOURS

WSYX-DT, COLUMBUS, OHIO
COVERAGE COMPARISON

NOISE LIMITED COVERAGE

PREDICTED LOSS AREA IS THE RING BETWEEN THE 36 DBU AND 41 DBU CONTOURS

PREDICTED 41 dBu F(50,90)
CH. 48 - 1000 kW SERVICE CONTOUR

PREDICTED 36 dBu F(50,90)
CH. 13 - 59 kW SERVICE CONTOUR

Two Post Transition co-channel facilities
WOWK-DT & WTVG-DT - both channel 13

Longley-Rice Predicted Service Area and co-channel Interference

FEBRUARY 2008

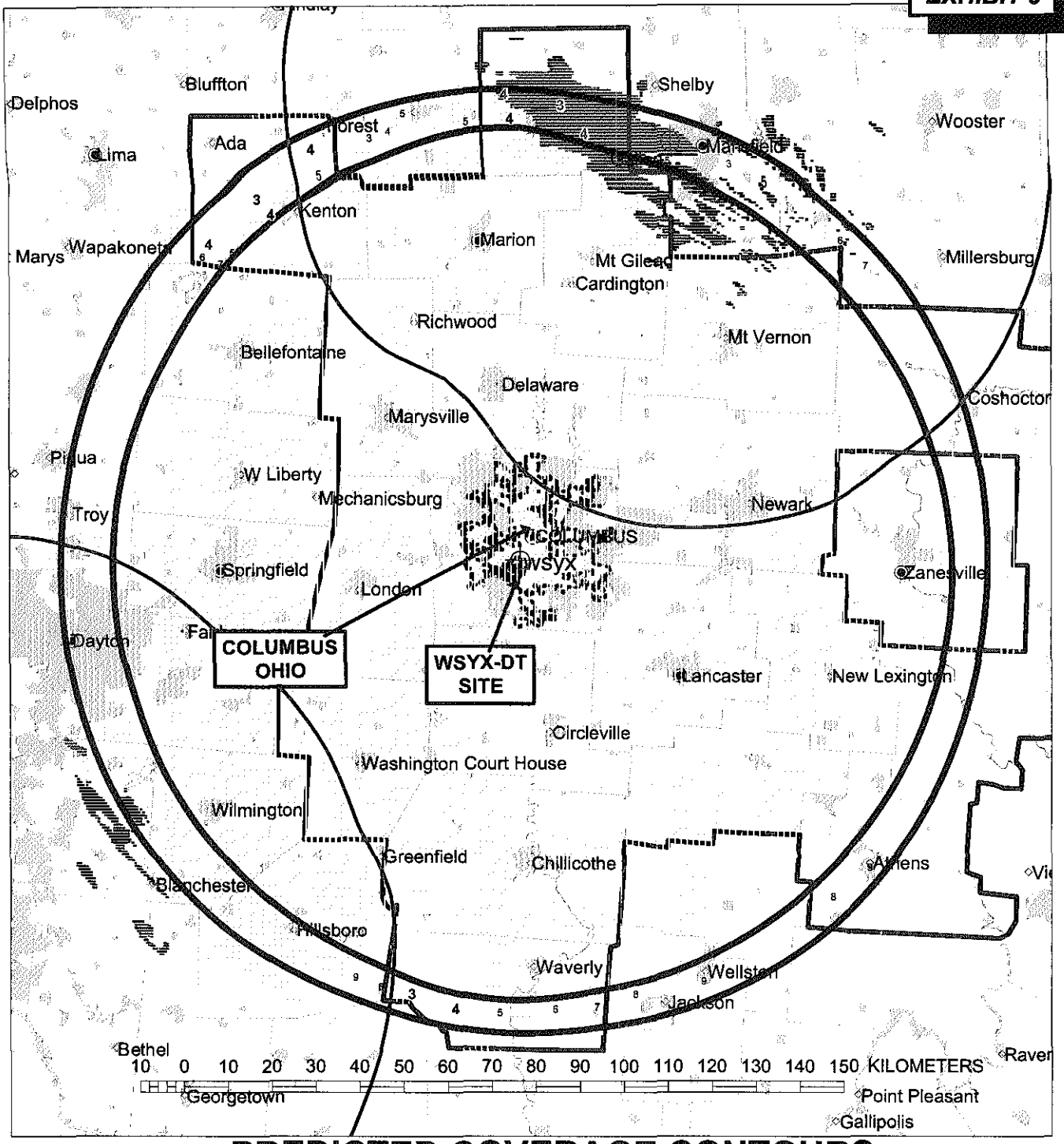
CARL T. JONES CORPORATION

Zanesville DMA | **Columbus DMA**

WSYX-DT >15 dB D/U

WSYX-DT <15 dB D/U

EXHIBIT 3



PREDICTED COVERAGE CONTOURS

WSYX-DT, COLUMBUS, OHIO
COVERAGE COMPARISON

NOISE LIMITED COVERAGE

PREDICTED LOSS AREA IS THE RING BETWEEN THE 36 DBU AND 41 DBU CONTOURS

PREDICTED 41 dBu F(50,90)
CH. 48 - 1000 kW SERVICE CONTOUR

PREDICTED 36 dBu F(50,90)
CH. 13 - 59 kW SERVICE CONTOUR

Two Post Transition adjacent channel facilities
WKRC-DT & WMFD-DT - both channel 12

Longley-Rice Predicted Service Area and adj-channel Interference

FEBRUARY 2008

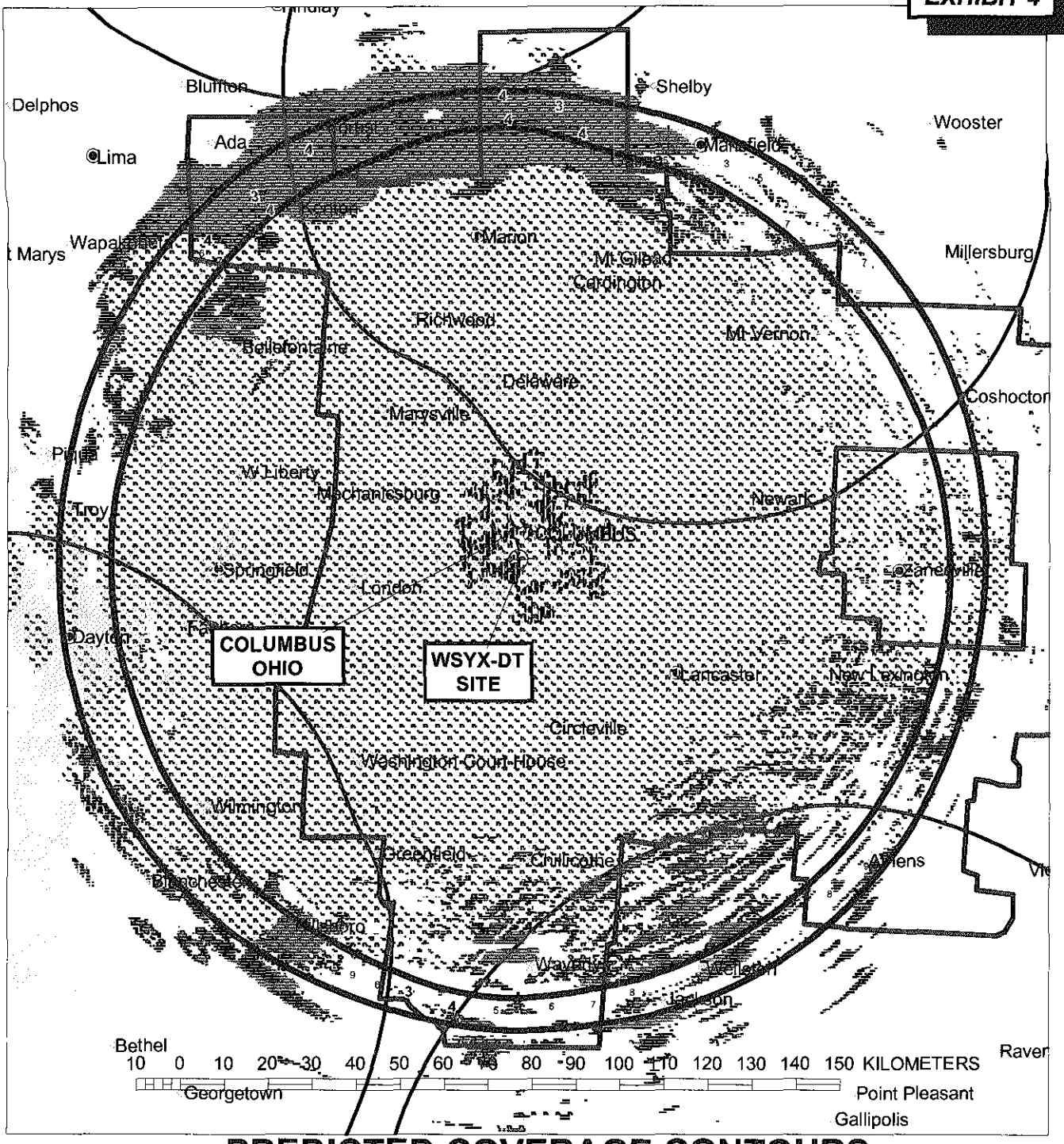
CARL T. JONES CORPORATION

Zanesville DMA | **Columbus DMA**

WSYX-DT >-28 dB D/U

WSYX-DT <-28 dB D/U

EXHIBIT 4



PREDICTED COVERAGE CONTOURS

WSYX-DT, COLUMBUS, OHIO
COVERAGE COMPARISON

NOISE LIMITED COVERAGE

PREDICTED LOSS AREA IS THE RING BETWEEN THE 36 DBU AND 41 DBU CONTOURS

Four Post Transition co & adj ch facilities
WOWK13 WTVG13 WMFD12 WKRC12

WSYX 48
41 dBu

PREDICTED 41 dBu F(50,90)
CH. 48 - 1000 kW SERVICE CONTOUR

PREDICTED 36 dBu F(50,90)
CH. 13 - 59 kW SERVICE CONTOUR

Longley-Rice Predicted Service Area and co-channel Interference

FEBRUARY 2008

Zanesville DMA | **Columbus DMA**

CARL T. JONES CORPORATION

WSYX - 13
D/U > REQ

WSYX - 13
D/U < REQ

DECLARATION OF JOHN E. HIDLE, P.E.

1. *I am a Consulting Engineer, an employee in the firm of Carl T. Jones* Corporation, with offices located in Springfield, Virginia. I hold a Masters Degree in Electrical Engineering from the Georgia Institute of Technology, I have more than forty years experience in broadcast engineering and consulting. I am a Professional Engineer in the Commonwealth of Virginia, License No. 7418, and in the State of New York, License No. 63418.

2. I prepared Exhibits 2, 3 and 4 showing the predicted service contours of the licensed WSYX-DT facility on channel 13, the proposed WSYX-DT facility on channel 48, the predicted service contours of the two co-channel and two adjacent channel post-transition DTV facilities that overlap WSYX-DT's predicted channel 13 36 dBu contour. Also shown in Exhibits 2 and 3 is the 36 dBu service area as predicted by Longley-Rice methodology. The part of that service area that is predicted to receive harmful interference from co-channel and adjacent channel DTV stations is shown in blue. Exhibit 4 compares that service area with the 41 dBu service area on channel 48, as predicted by Longley-Rice.

3. It is therefore my belief that the proposed substitution of channel 48 for channel 13 in Columbus, Ohio would better serve the potential TV viewers in that Designated Market Area.

4. I have reviewed the **Further Supplement** and its attachments.

Dated: February 5, 2009

John E. Hidle, P.E.

CERTIFICATE OF SERVICE

I, Julia Colish, a secretary with the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that a copy of the foregoing "Further Supplement to Petition for Rulemaking" was served via hand delivery on this 6th day of February 2009 to the following:

Mr. Clay Pendarvis
Chief, Video Services Division
Media Bureau
Federal Communications Commission
445 12th Street, S.W., Room 2-A666
Washington, D.C. 20554

Mr. David Brown
Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Room 2-C828
Washington, D.C. 20554

Julia Colish

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